Preserve

Preserve

App. F. IX-4

1933.4
(C. 1)

Previous References.
Q. 1 105-31 (1-4. 7-15, 17-24. 27. 28 31, 32)

File No. 30-33
Serial Nos. 1-4. 7, 10, 12, 14, 15
10-15

Later References.
C. 1 37-34 (1-4)
" 11-36-277

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Nil

Part B for Nov. 34.

SUBJECT.

~~Subject~~ Rules under certain sections of the Mysore Co-operative societies Regulation no VII of 1918 as amended from time to time

D 2477 G. L. O. 34

Compiler. M. G

WD 01965—GPB—15,000—7-7-34

Notifies RC

General and Revenue Secretariat | C File No. 30 of 1933.

Serial No.	
1.	From the Protection Branch Memo no P 1241 dt 9-9-33 Requests to know if rules or notifications have been issued under Sections 35 (1) 43 A (2)(3)(5) and 43 B and Section 44 and (1) of Cotton Textiles Regulation VI of 1933. No rules have been framed or issued. The Registrar of C.S. will, if required, be asked to furnish a draft set of rules for consideration of the Protection Branch will be informed accordingly. Sd/- [illegible] 12/9 Dep: Secy.) Secy. 12/9 Com. done 13.9.33. Secy 13/9
2	The Registrar, C.S. No. D. 1383 dt 15.9.33 Requested to forward a Set of draft Rules & Submit the Same for consideration of Govt; No. D. 1384 dt 15.9.33 Copy to Protection Branch.
3	From the Registrar of C.S. No: 2736 CS dt 2-11-33 Forwards the draft rules called for 2) The draft rules called for under the Concerned sections are in accordance with these sections. It is necessary that the draft

Gen A dt 16/9

NOTE—Comm. Sheet.

269-33

Rules under the Negrais Coconut Regulation

CS File No. 30 of 1933. General and Revenue Secretariat

Rules should be published and objections called for before being finally promulgated.

A draft notification is subs

MP 15/11 KB

2) The Law Secy may be consulted in re. the adoption of the proposed Rules and then the draft notification may be issued.

Dev-Secy 4)

Law Secy.

Law

SKC 15/11

Asst. 16.11.33.

SKC 17/11

MP 7.5.34

4) Please study & note

MP 30/11/33

3078/33

G.R.S. III—3]

Routine Notes. CS 30-33-G

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D 2025

D. no 1606

Income Rates Yes

No 3418 dy 30/11/33

Forwards a further set of amendments to the Rules under the Repeals

1) The previous reference quoted by the Registrar is ours in the Law Secrett to which it was referred on 17.11.33. This may also be sent there in continuation

30/12

5/12/33

Dep. Secy)

CS 100 5/12

1) Law Secretariat

Ch. 7.12.33 CS 100 7/12/33

Secy

7/12

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

General and Revenue Secretariat

GENERAL AND REVENUE SECRETARIAT,

No. Dated Bangalore 93 191

From

Secretary to the Government of His Highness the Maharaja of Mysore,
Revenue Department.

To

First Assistant to the Hon'ble the Resident in Mysore.

Sir,

I am directed to forward for submission to the Government of India, five printed copies of the statement showing the Prices Current (Retail) of food grains, and salt in the Bangalore and Mysore Districts, for the fortnight ending 15th 191, and to request that the same may be kindly substituted for the manuscript statements forwarded with this office letter Pol. No. dated

93
191 .

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Revenue Department.

W D 496—GPB—250—21-9-15

2695
3078

Serial No.

7) The Regr in his letter dated 30th Nov 1933 suggests certain amendments to the draft rules submitted vide his letter dated 9th Nov 1933.

8) Existing Rules 5 & 9 are proposed to be deleted since they are included as clause 2 and 4 of sections 9 and 11 respectively by the amendment Regn of 1933. Amendments suggested in rule 16(vii) are incorporated in proper places.

9) In rule 16(i), the reference to the Regr of any dispute under Coopve Societies Regn is required to be stamped. It is not known wht other object such a duty is imposed. This level seems to be unnecessary. It is enough if it is in writing and submitted in the form prescribed.

10) 16 (iii) to 16 (xiiia) are rules framed under Sec 43 A (2) (b) for disposal of disputes referred to arbitration. Similar rules framed by Madras Govt in G.O.Ms.No. dt 1.8.33 are apt and concise and may perhaps be adopted.

11) As regards rules framed under sec 63 (B) re: summoning of witness, Madras rules are closely followed.

ISO 11/12

12 Forwarded with compliments to the Govt Advocate for favour of Scrutiny of the Rules proposed and Suggestions if any.

M Rajagopalan
Dy Secy
11/12/33

G.O.No.p 1687 32 of 11.12.33.

204
Laws
Secy 506/33—789

NOTE—Contn. Sheet.
9 11/12/33

WD 0434—GPB—15,000—12-10-33

Returned with

3078

File No. of 193 | General and Revenue Secretariat

Serial No.

(12) Returned with Compliments.

Re: Rule 16(ix)–payment of fees to Arbitrators seems to be undesirable and may I think be omitted.

(14) Section 43 Sub Sec.(3) of the Regulation - empowers the Registrar, subject to such rules as may be prescribed, to withdraw any reference under Clause(b) of Sub Sec.2. It does not empower him to withdraw references referred under Clause(c). The Legislature may not have intended to empower the Registrar to withdraw cases referred to the Civil Courts as contemplated in Rule 16(x).

(15) The Rules seem to be otherwise all right and may be adopted.

A.M. Macgowan 7/2/34

Government Advocate.

CSN/2.2.34

(16) Rule 16 as it now stands was introduced after careful consideration so recently as 5th Sept. 1933 – Vide Notn D 1142-C.S. 105-3L-32 dated 5-9-33. It is not clear what ~~immediate~~ necessity has arisen so soon to amend the rule once again and reissue it as now suggested. It appears as though the memo of the Prot. Br of 11th Sept. 1933 is being worked up without reference to the rules issued in notn of 5 Sept. 1933.

Asst Secy Revenue
Com Comfs 8/2/34

Rules under the Cooperative Societies Regn.

C

General and Revenue Secretariat | File No. 30 of 1933. | [App. F. III—2

Serial No.

(17) The Regr may be asked to give his reasons, if any, for the proposed Changes. Draft enquiring note

KB 10/2 - Dev: Secy)

Secy 10/2

MW 13.2.34. same Secy 13/2

7. The Registrar of Co-operative Societies, No. D. 4021 & 16.2.34.

Requests to point out the reason for the proposed Amendment to Rule 16.

(18) discussed with Regr Registrar Govt Advr. suggests

Secy 12/6/34

MW. 12.6.34. Secy

OFFICE OF THE FIRST MEMBER OF COUNCIL 12 JUNE 1934 No. 9650

(19) It is for orders if the draft Rules may be published as proposed by the Registrar of Co-op. Societies omitting only Rule 16 (ix) & (x) as suggested by the Govt. Advocate, or whether the reply to Sl. 7 above showing the reasons for the new rules. proposed by the Registrar of Co-op Societies may be awaited, before issuing the draft notification -

No 13/6/34 May the draft rules be published omitting Clauses (ix) & (x) of Rule 16 and Objections called for

KB 17.6.34

(20) yes Secy 18/6/34

NOTE—Contn. Sheet.

WD 0434—GPB—15,000—12-10-33

Co File No. 30 of 1933.

General and Revenue Secretariat

Serial No.

(1) Draft notification Subs

MG. KB 20/6

Issue Secy 25/6/34

TYPING SECTION. 26 JUN. 1934 GENL. & REV. SECTT.

To. The Supdt Govt Pble, M. Gazette Copy to the Prom. Branch. No. D. 6156 PG 29.6.34.

Request to publish certain draft additions & amendments to the Rules issued under G.S. Regulation —

Published in the Gazette Sec B 6/7/34 for 2 months To be taken up on 6/9/34

4 JULY 1934

DEVELOPMENT BRANCH.

(2) Subd. for orders if the draft notification may be published in final form, since no objections have been received.

(3) Kind refce is however invited to Rule 16(VIII). according to which a legal practitioner cannot appear for a party to a dispute (before the Registrar or Arbitrator or other person deciding the dispute. It is for consideration if (at least in appeal to Govt. the legal practitioners, as such, should not be allowed to appear for parties ~~so as to~~ facilitate ~~matters~~ disposal —

MG CB 6/9

(4) The Notification will, if approved, be published in the Gazette now in a final form. Whether parties may, if they choose, be permitted to be represented by counsel in appeals before Govt is a point for orders —

Dev. Secy)

Secy 7/9/34

RECEIVED 1511 8 SEP

Is this not permissible under the existing Rules? Vide Hole Narsipur Weavers Society case.

DCG
6/9/34

Rules. moved the
The original rule omitted on the last occasion when the amendments were made is now brought to be introduced again. In the Hole-Narsipur case, the pets. was permitted & the respondents represented by Counsel and there is no rule now to prevent this. The re-introduction of the rule may act as a hardship in some cases. Hence it may be suggested that if pleaders are permitted at all, it may be only in cases of appeal to SC.

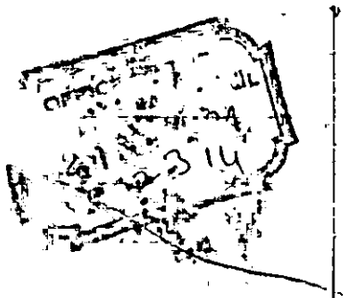
MVC
6/9

2025
SDY 1892

Serial No.

Two Hundred

MW.
26.9.34.



(25) The draft as it stands does not commit the way of not permitting a part to appear before Return of Election — the rules may not be finally issued.

Leg
24-9-34

MW
26.9.34.

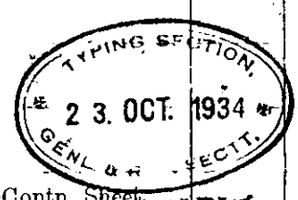
(26) Two draft rules

No
25/9
Leg
25/9.

Issue
Leg
26/9/34

11 To. The Registrar of S.S.
The Comptroller to Govt.
No. D. 2475-S & 2-10-34,
Approves the amendments proposed.
Notifies the above
12 No. D. 2477/S.S. 30-33-12 & 2-10-34
Compiler, Govt. Gazette.
D. 2478 & 2.10.34. Copy to the Registrar S.S.
The Regr of Cos.
Do No 212 cs & 15/10/34
Points out a mistake in Rule No VIII
and requests it may be corrected and reprint
Opt notify rules.

Sir C. Hill
Chief secy
has received
11/10



NOTE—Contn. Sheet.

SECRETARIAT

To. The Controller of Printing & Stationery
D. 2974 & 2.11.34
Notifies the publication of Rules
No. D. 2975 & 2.11.34
Copies to the Registrar S.S.

Issue
Leg
21/11/34

General and Revenue Secretariat	File No.	of 193	[App. F. III—2

Serial No.

65. 30-33 T

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore. 9th September 1933

No. P-1241

974

~~OFFICIAL MEMORANDUM~~

MEMO.

GENERAL SECRETARIAT
11.9.33
DEVELOPMENT

Rules have to issue under Sections 35(1), 43A (2)(3) (5) and 43B and Section 44 (K.K.) and (1) of Co-operative Societies Regulation VI of 1933.

2. The Development Branch is requested to state if rules or notifications have been issued under the Sections referred to, and if so, to kindly put up a copy of the rules, etc., so issued. If the rules are not issued, necessary action may kindly be taken in the matter early, and copies of the same sent to the Protection Branch when issued.

By Order,

for Chief Secretary to Government.

RS.

NOTE—Contn. Sheet.

WD 0955—GPB—22,600—12-6-34

Appendix F G—1]

SUBJECT .....

.....

.....

Section B.S.

File No. 30-33

Serial No. 2

Diary No. of letter replied to ....

No. D/1383

To

The Regr of Cs

Sir,

I am directed to state that Rules have to issue under Sections 35 (1), 43 A (2) (3) (5), and 43B and Section 44 (K·K) and (1) of Corperative Societis Regulation VI of 1933, and to request that a draft set of rules may be kindly framed and subd to Govt. for Consideration very early -

Thereby

General and Revenue Secretariat

( )

the *193* .

Date of issue 15-9-33

Signed by Asst GM-

List of enclosures.....

D/1384 CKD 12/9/Dwr Coop.

Copy to the Protector Borrowers with reference to Memo No. P. 1241 dy 9-9-33 CKD

Dy Registrar.

Copied by.....

Examined by.....

D 1383

C.S. 80-33-2

From.
The Secy to Govt

xxxxxxxxxxxxxxxxxxx
Development Department.

To

The Registrar of Co-operative Societies in Mysore,
Bangalore.

197

Bangalore, dated 14th September 1933.xxx

Sir,

I am directed to state that Rules have to issue under Sections 35(1), 43 A (2) (3) (5), and 43 B and Section 44 (k.k.) and (1) of Co-operative Societies Regulation, VI of 1933, and to request that a draft set of rules may be kindly framed and submitted to Government for consideration very early.

I have the honor to be,
Sir,
Your most obedient servant,

Mallikarjunaiah

for Secretary to Government,
Development Department.

D 1384

Copy to the Protection Branch with reference to Memo No. P. 1241, dated 9/11th September 1933.

TRM.3

GOVERNMENT OF MYSORE

No. 2736 C.S. / Enc |

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Telegraphic Address:
"CO-OPERT"
BANGALORE.

C.S. 30-33-3.

Dated, Bangalore, 31st October *1933.*

From

GULAM MOHADIN MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
Bangalore.

To 2 NOV 1933

S.Abdul Wajid, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

Sir,

With reference to your letter No.D.1383/C.S.30-33-2 dated 15th September 1933 and the reminders thereto calling for draft Rules under certain Sections of the Mysore Co-operative Societies' Regulation No.VII of 1918 as amended from time to time, I have the honour to forward, herewith, a set of draft Rules for the consideration of Government.

I have the honour to be,
Sir,
Your most obedient servant,

M. S. M.
Registrar. 2/11

31/10.

Add the following Rule as Rule 29:-

"29. The person authorised by the Registrar to hold an enquiry under Section 35(1) shall be an Officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Sec 35(1)

Substitute the following for Rule 16.

Sec 43A 1 & 2

16(1) recast

"16(i). The reference to the Registrar of any dispute under Section 43 A. of the Mysore Co-operative Societies' Regulation No.VII of 1918 shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

16(ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

new

16(iii). When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to arbitration, one by the society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which the Registrar may himself make the nominations. The person appointed by the

16(ii) no change

the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

16(iv). In proceedings under this rule, the evidence of the parties and witnesses who attend shall be taken down on oath in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators, as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard ex-parte. Ex-parte decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the ex-parte decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside exparte decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

16(v). When any dispute referred to arbitration under (iii) above is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

16(vi)(a). In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority

majority of the members of the Board where it is not unanimous.

(b) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

16(vii). Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision of award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore or of any local authority within the Mysore, the Registrar may send the decision or award to the Head of the Office or Department or local authority, in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

16(viii). In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

16(ix). The Registrar or the Arbitrator, Board of Arbitrators or other person deciding the dispute shall have power to order the expenses of determining the disputes to be paid out of the funds of the society or by such party or parties to the dispute as he or

or they may think fit, according to a scale laid down by the Registrar. The Registrar may fix the fees to be paid to the - person or persons deciding the dispute out of the expenses so recovered. (to be numbered)

43A new rule

16(x). If the dispute is referred to a Civil Court under Section 43 A(2)(c), the same may be withdrawn if both the parties to the dispute pray in writing that the dispute may be enquired into either by the Registrar or by Arbitration. (to be numbered)

43A(5) new rule

16(~~xi~~ ix)(a). The appeal contemplated in sub-section(5) of Section 43 A.of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

new rule

(b) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

new rule

(c) When an appeal is filed, under the provisions of Section 43 A. Sub-Section(5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

x x x (Rule 29) see p. 1.

Add the following as Rule 30.

43B

"30 (1) Every summons issued under the Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the Officer, by whom it was issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify

specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

30(2). Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, - instead of attending personally to produce the same.

(3) The service of summons under the Regulation on any person may be effected in any of the following ways:-

(a) by giving or tendering it to such person; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

(4) Person served to sign acknowledgment:- Where the serving officer delivers or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

(5) Endorsement of time and manner of service:- The serving officer shall in all cases in which the summons has been served under sub-rule (4), endorse or annex, or cause to be - endorsed or annexed, on or to the original summons a return - stating the time when and the manner in which the summons was served and the name and address of the person (if any) identi-

fying

identifying the person served and witnessing the delivery or tender of the summons.

(6)Service on civil public officer or on servant of railway company or local authority:- Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

****

1/11.

Registrar.

C.S. 30-33-4

GOVERNMENT OF MYSORE.

No. 1,

Telegraphic Address : "CO-OPERT" BANGALORE.

DEPARTMENT OF CO-OPERATION.
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Dated, Bangalore, 2 November *1933.*

2025

From

GULAM MOHADIN MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
BANGALORE.

DEVELOPMENT SECRETARIAT 30 NOV. 1933

To

S.Abdul Wajid,Esq.,B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

Sir,

0/606 Law cut 17/11

In continuation of this office letter No.2736/C.S.dated 2nd November 1933 forwarding a set of Draft Rules under the Mysore Co-operative Societies Regulation No.VII of 1918 as amended from time to time, I have the honour to state as follows:-

The existing Rules 5 and 9 may be deleted as these have been incorporated in the Regulation itself (vide Sections 9(2) and 11(4))

Proposed Rule 16(vii) may be recast as follows so as to bring the employees of local bodies, firms etc., under the purview of the Rule for purposes of execution of the decisions or awards.

"Whereas the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid whereupon, such Court shall execute the decision or award as if it were a decree passed by itself. Where the decision or award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority, in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court."

In this connection, I may bring to the notice of Government, that

P.T.O.

that Section 43(c) contemplates the execution of decisions or awards in only two ways viz., (1) by the Civil Court 43(c)(i)(a), (2) by the Deputy Commissioner 43 (c)(i)(b) and there is no power to send the decisions for execution by the Heads of Offices. Such a Rule may now be framed under the authority of Rule 44(1)(iv) of the amended Regulation.

I have the honour to be,
Sir,
Your most obedient servant,

29/11.

Registrar. 29/11

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 16/2/34

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section CS

File No. 30-33

Serial No. 57

No. D 402

To

The Regr. of CS

Sir,

With reference to correspondence ending with your letter no ~~D 2736 dy 2/11/33~~ 3418 CS dy 30/11/33, forwarding a set of Draft Rules under the Bijnor Cooperative Societies Regn., ~~no 611 dy 14/8~~

I am directed to state that Rule 16 as it now stands was introduced after careful consideration so as recently as 5th Sept. 1933 (vide Memo no D 1142/CS. 108-31-32 dy 5/9/33) and that it is not clear what necessity has arisen so soon to

WD 0677—GPB—15,000—8-11-33

16/2

amend the rule once again
and reissue it as now proposed.
I am therefore to request you
to be so good as
to state the reasons, if any,
for the proposed
amendment to Rule 16

Thanks

Yours
Dan Lacy.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 14th February 1934.

No. 4021

From

The *Secretary to the Government of His Highness the Maharaja of Mysore, Development Department.*

To

The Registrar of Co-operative Societies in Mysore, Bangalore.

Sir,

With reference to correspondence ending with your letter No. 3418 C.S. dated 30th November 1933, forwarding a set of Draft Rules under the Mysore Co-operative Societies Regulation, I am directed to state that Rule 16 as it now stands was introduced after careful consideration so recently as 5th September 1933 (Vide Notification No.D.1142/C.S.105-31-32, dated 5th September 1933) and that it is not clear what necessity has arisen so soon to amend the rule once again and reissue it as now proposed. I am therefore to request you to be so good as to state the reasons, if any, for the proposed amendments to Rule 16.

I have the honor to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Development Department.

TRM.2

C.S. 30-33-10.

GOVERNMENT OF MYSORE.

No. 8746/C.S.

Telegraphic Address: "CO-OPERT" BANGALORE.

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Dated, Bangalore, 18 June *1934.*

5027

From

GULAM MOHAMED MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
BANGALORE.

To

M.Venkatanaranappa, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

C.S. 20 JUN 1934

Sir,

With reference to your letter No.D.4021/C.S.30-33-5 dated 6th ~~April~~ 7. February 1934 and the reminders thereon calling for reasons if any for the proposed amendments to Rule 16 under the Mysore Co-operative Societies' Regulation, I have the honour to state as follows:-

Proposed Rule 16(i): This is proposed to make the Rule more comprehensive.

Proposed Rule 16(ii): According to Section 44(2),1(ii) Government have to frame rules for the appointment of a guardian, for a party to the dispute who is a minor or who by reason of unsoundness of mind or mental infirmity is incapable of protecting his interests. The proposed rule 16(ii) provides for this.

Proposed Rule 16(iv): This is 16(iii) as per present rules, with the addition of the words "on oath" between the words "taken down" and "in full" in the 3rd line. This is inserted with a view to prevent parties from making reckless false statements.

Proposed Rule 16(v): The period of two months is proposed with a view to expedite the disposal of suits by Arbitrators, as many of them, take their own time to pass Awards.

Proposed Rule 16(vii): The amendment proposed in my letter No.3418/C.S.dated 30-11-1933 to include any Local authority in the Mysore State is with a view to enforce the terms of the award or the decree against officials employed by such bodies, as in the case of other Government Officials, by attachment of their salaries.

Proposed Rule 16(ix): This rule is in accordance with Section 44(2) 1(iii). This power is retained to enable the Registrar to pay some fees, if necessary, to Arbitrators, such as their out of pocket expenses, if they are to go and hear the dispute in a place, some distance away from

P.T.O.

5"2 i

from where they reside. It is not intended to grant any remuneration to Arbitrators in all cases, but when it has to be paid some power must be reserved. If Government think this is unnecessary, it may be deleted.

Proposed Rule 16(x): This may be deleted.

I have the honour to be,
Sir,
Your most obedient servant,

W. S. [illegible]
Registrar. 17/6

L.S.14/6.

Draft notice (omitting rules (IX) and (X)) has been ordered to be published in the Nyasa Gazette, and suggestion called for. If approved this will be placed in the file

26/6 KO

Yes dcg 26/6/34

9 Copies

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Notification

No: D6156

CS 30-33-11

dated

The following draft additions and amendments to the ~~Grading~~ Rules issued under ~~Section 64~~ of the Mysore Cooperative Regulation VII of 1918 as amended by Regns V of 1929 and VI of 1933, are hereby published for general information.

All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded so as to reach the Secy to Govt. Rev. Dept. within two months from the date of this publication of this notification in the Gazette after which they will be taken into consideration by Govt.

Any suggestions received after the date will not receive consideration before these rules are finalised.

P. T.O

29/6/34

Signed for H. Venkatesa Iyengar

WD 9327—GPB—10,000—18-5-27

Vide Govt. (Limit forms amended)

~~To the Compiler &c~~ By order

Dec 25 1934

Dec. Secy

To the Compiler M. G. for

publication with a request

that 50 copies of the publication

may be furnished to the Secretary.

Copy to the Protection Branch

Copied by
[illegible]
[illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. D 6156 / Cl. 30-33-11

General and Revenue Secretariat,

Dated Bangalore ..27th.. June ..193 4.

NOTIFICATION.

The following draft additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulation V of 1929 and VI of 1933 are hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded so as to reach the Secretary to Government, Development Department within two months from the date of the publication of this notification in the Mysore Gazette after which they will be taken into consideration by Government.

Any suggestions received after the due date will not receive consideration,

Substitute the following for Rule 16.

"16(i) The reference to the Registrar of any dispute under Section 43 A. of the Mysore Co-operative Societies' Regulation No.VII of 1918 shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

16 (ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

10 (iii). When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to arbitration, one by the society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

10.(iv). In proceedings under this rule, the evidence of the parties and witnesses who attend shall be taken down on oath in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators, as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard ex-parte. Ex-parte decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the ex-parte decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside ex-parte decisions or awards should b

disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

16 (v). When any dispute referred to arbitration under (iii) above is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

16 (vi)(a). In disputes settled by a Board of Arbitrators, the award shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(b) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

16 (vii). Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision of award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any

local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

16 (viii). In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

16 (ix) (a). The appeal contemplated in sub-section (5) of Section 43 A. of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

(b) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(c) When an appeal is filed, under the provisions of Section 43 A. Sub-Section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 20:-

"20. The person authorised by the Registrar to hold an enquiry under Section 35(1) shall be an Officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30.

"30(1) Every summons issued under the Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the Officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

(2). Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

(3) The service of summons under the Regulation on any person may be effected in any of the following ways:-

(a) by giving or tendering it to such person; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

(4) Person served to sign acknowledgment:- Where the serving officer delivers or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the

copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

(3) Endorsement of time and manner of service:- The serving officer shall in all cases in which the summons has been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

(5) Service on civil public officer or on servant of railway company or local authority:- Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment of service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

By order,

Secretary to Government,
Development Department.

To
The Compiler, Mysore Gazette, for publication in the Gazette with a request that 50 copies of the notification may be furnished to the Secretariat.

B.E.E.D

Published in the Mysore Gazette
6 th July 1934

DEVELOPMENT SECRETARIAT

No. D. 6156—*C. S.* 30-33-11, *dated* 29*th June* 1934.

The following draft additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulation V of 1919 and VI of 1933, are hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded so as to reach the Secretary to Government, Development Department within two months from the date of the publication of this notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

Any suggestions received after the due date will not receive consideration.

Substitute the following for Rule 16.

"16 (i). The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

16. (ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

16. (iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

16. (iv). In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

16. (v). When any dispute referred to arbitration under (iii) above is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

16. (vi) (*a*). In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(*b*) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

16. (vii). Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid; whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision of award involves the payment of money

and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

16. (viii) In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

16. (ix) (a) The appeal contemplated in Sub-Section (5) of Section 43 A. of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

(b) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(c) When an appeal is filed, under the provisions of Section 43-A, Sub-section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 29 :—

"29. The person authorised by the Registrar to hold an enquiry under Section 35 (1) shall be an officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30 :—

"30(1). Every summons issued under Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes ; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

2. Any person may be summoned to produce a document, without being summoned to give evidence ; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

3. The service of summons under the Regulation on any person may be effected in any of the following ways :—

(a) by giving or tendering it to such person ; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

4. *Person served to sign acknowledgment* :—Where the serving officer delivers or or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

5. *Endorsement of time and manner of service* :— The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

6. *Service on civil public officer or on servant of railway company or local authority* :— Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

By Order,
M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

G.R.S. App. F VI—G 2]

SUBJECT ..... Two drafts

.....

.....

Diary No. of letter replied to .....

Section Cs

File No. 30-33

Serial No. 19

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 2/12/1934

Signed by [illegible]

Read—

Govt. notifn no D 6156/Cs 30-33-11 & 29.6.1934, inviting ~~suggestions~~ suggestions on the ~~accompanying~~, draft additions and amendments to the Rules framed under Sec 44 of the Mysore Cooperative Regulation VII of 1918 as amended by Regulation ~~Order thereon.—No.~~ V of 1929 and VI of 1933, ~~&c~~ - Calling for suggestions for alterations, additions or omissions by persons or bodies likely to be affected by the Rules.

Order no. 11 dated 21-12-6

No ~~Rules~~ objections having

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

received from the public and Co-operative institutions, in regard to the proposed changes in the Rules, Govt are pleased to ~~accord~~ to approve of the issue of the rules as appended to this order. A notification to this effect will issue separately.

2. The Registrar of Co-operative Societies is requested to take necessary action ~~to~~ to get the Rules re-printed in the Govt. Press carrying after ~~both~~ incorporating all amendments issued from time to time. The ~~and making them~~ ~~up to date~~, so that copies may be made available for sale to the public in the Central Govt Book depot.

List of Enclosure

Sec^t is the proper place to take action on this point

Sec 26/9/34

Sec 26/9/34 Dev Secy

To the Registrar of Co-operative Societies

Copied by

Examined by

WD 73—GBPM—20,000—10-8-31.

Copy to Political branch
Copy to Genl branch

APPENDIX.

Substitute the following for Rule 16.

"16 (i). The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

(ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

(iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

(iv). In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

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and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

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It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes ; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

2. Any person may be summoned to produce a document, without being summoned to give evidence ; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

3. The service of summons under the Regulation on any person may be effected in any of the following ways :—

(a) by giving or tendering it to such person ; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

4. *Person served to sign acknowledgment* :—Where the serving officer delivers or or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf. he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

5. *Endorsement of time and manner of service* :— The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

6. *Service on civil public officer or on servant of railway company or local authority* :— Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

Dasabharayappa

for Secretary to Government,
Development Department.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Government Notification No.D.6156/C.S.30-33-11 dated 29th June 1934, inviting ~~xxxx~~ suggestions on the draft additions and amendments to the Rules framed under Section 44 of the Mysore Cooperative Regulation VII of 1918 as amended by Regulation V of 1929 and VI of 1933.

Order No. D 2475-6/ CS 30-33-11

Dated, Bangalore, the ~~30th~~ September 1934.

No objections having been received in regard to the proposed changes in the Rules, Government are pleased to approve of the issue of the Rules as appended to this order. A notification to this effect will be issued separately.

Seshamayappa

For Secretary to Government,
Development Department.

To

The Registrar of Cooperative Societies in Mysore.
The Comptroller to Government.

mk.5

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Draft Notification

No D 2477 C. S. 30-33-1/3

Dated

The Govt. of H. H. the Maharaja of Mysore are pleased to make the following additions and amendments to the Rules issued under Sec. 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933, and which were published with Notifications Nos.

(Q) 324/ S.C. 16-68-13 dt 9th July 1934

(P) No. 2795/S.C. 16-68-14 dt 11th Sept. 1934 and No. D 1162/C.S. 105-31-32 dt 5th Sept 1933.

21.1.34

Signed, K. H. Venkatanarayana

WD 0436—GPB—10,000—17-10-33

Government of His Highness the Maharaja of Mysore,
General and Revenue Secretariat,
Dated, Bangalore 29th September 1934.

No. D 2477 G.S. 30-33-2 Notification.

The Government of His Highness the Maharaja of Mysore are pleased to make the following additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933 :-

Substitute the following for Rule 16.

"16 (i). The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

(ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

(iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

(iv). In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

(v). When any dispute referred to arbitration under (iii) above is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

(vi) (*a*). In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(*b*) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

(vii). Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid; whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision of award involves the payment of money

and the person or persons against whom the decision or award is made are employed in the permaneht or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

(viii) In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

(ix) (a) The appeal contemplated in Sub-Section (5) of Section 43 A. of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

(b) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(c) When an appeal is filed, under the provisions of Section 43-A, Sub-section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 29 :—

"29. The person authorised by the Registrar to hold an enquiry under Section 35 (1) shall be an officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30 :—

"30(1). Every summons issued under Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes ; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

2. Any person may be summoned to produce a document, without being summoned to give evidence ; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

3. The service of summons under the Regulation on any person may be effected in any of the following ways :—

(a) by giving or tendering it to such person ; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

4. *Person served to sign acknowledgment* :—Where the serving officer delivers or or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

5. *Endorsement of time and manner of service* :— The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex; or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

6. *Service on civil public officer or on servant of railway company or local authority* :— Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

(viii) In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

(ix) (a) The appeal contemplated in Sub-Section (5) of Section 43 A. of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

(b) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(c) When an appeal is filed, under the provisions of Section 43-A, Sub-section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 29 :—

"29. The person authorised by the Registrar to hold an enquiry under Section 25 (1) shall be an officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30 :—

"30(1). Every summons issued under Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes ; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

(2) Any person may be summoned to produce a document, without being summoned to give evidence ; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

(3) The service of summons under the Regulation on any person may be effected in any of the following ways :—

(a) by giving or tendering it to such person ; or

(b) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(c) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(d) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

(4) *Person served to sign acknowledgment* :—Where the serving officer delivers or or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

(5) *Endorsement of time and manner of service* :— The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

(6) *Service on civil public officer or on servant of railway company or local authority* :— Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

2478 24/9/34

Copy & Rep 7 Cs and 6 Printing Bills.

By Order,
M. Venkatarangaiya,
Secretary to Government,
Development Department.
26/9/34

To the Compiler, Mysore Gazette. for publication in Part IV of the Gazette, with a request that 100 spare copies of the notification may be supplied to the Secretariat and an equal number to the Registrar of Coopve Societies in Mysore

DEVELOPMENT SECRETARIAT

No. D. 6156—C. S. 30-33-11, dated 29th June 1934.

The following draft additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulation V of 1919 and VI of 1933, are hereby published for general information. All suggestions for additions, alterations or omissions by persons or bodies likely to be affected by these rules may be forwarded so as to reach the Secretary to Government, Development Department within two months from the date of the publication of this notification in the *Mysore Gazette*, after which they will be taken into consideration by Government.

Any suggestions received after the date will not receive consideration.

Substitute the following for Rule 16.

"16 (i). The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

~~16~~ (ii). Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

~~16~~ (iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

~~16~~ (iv). In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

~~16~~ (v). When any dispute referred to arbitration under (iii) above is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

~~16~~ (vi) (*a*). In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(*b*) ~~16~~ When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

~~16~~ (vii). Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder, send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid; whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision of award involves the payment of money

NOTIFICATION

No. D. 2477—*C. S.* 30-33-12, *dated Bangalore,*
2*nd October* 1934.

The Government of His Highness the Maharaja of Mysore are pleased to make the following additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933 :—

Substitute the following for Rule 16 :—

"16 (i) The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

(ii) Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

(iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The

person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

(iv) In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

(v) When any dispute referred to arbitration under (iii) above, is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

(vi) (*a*) In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(*b*) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

(vii) Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid; whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision or award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

(viii) In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

(ix) (*a*) The appeal contemplated in Sub-Section (5) of Section 43-A of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by Government for the decision of disputes under the said Section 43 A.

(*b*) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(*c*) When an appeal is filed, under the provisions of Section 43-A, Sub-section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or

otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 29 :—

"29. The person authorised by the Registrar to hold an enquiry under Section 35 (1) shall be an officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30 :—

"30(1). Every summons issued under Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

2. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

3. The service of summons under the Regulation on any person may be effected in any of the following ways :—

(*a*) by giving or tendering it to such person ; or

(*b*) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(*c*) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(*d*) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

4. *Person served to sign acknowledgment.*—Where the serving officer delivers or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature

of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

5. *Endorsement of time and manner of service.*—The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

6. *Service on civil public officer or on servant of railway company or local authority.*—Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

Printed by the Superintendent at the Government Press, Bangalore.

C.S. 30-33-14

GOVERNMENT OF MYSORE.

DEPARTMENT OF CO-OPERATION.

Telegraphic Address: "CO-OPERT" BANGALORE

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Dated, Bangalore, 13th October *193* 4.

D.O. No. 212 CS.

DEVELOPMENT SECTT. 13. OCT. 1934

1492

Dear Sir,

In inviting your kind reference to Government Order No.D.2475-6/C.S.30-33-11 dated 2nd October 1934 and Notification No.D.2477/C.S.30-33-12 dated 2nd October 1934, I write to inform that the words "Body of Arbitrators" in the amended Rule 16 (viii) should be "Board of Arbitrators". I request that this typing mistake may be corrected and notified.

Yours sincerely,

M. S. [illegible]
B/c

M.Venkatanaranappa, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

L.S.12/10.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Notification

No D 2974 / 32
CS 30-313-15

Erratum

In Rule 16 (viii) of the amended Rules under the Mysore Co-operative Societies Regn No. VII of 1918 as amended by Regulations V of 1929 & VI of 1933, published in Part IV of the Mysore Gazette of 11th Oct 1934

for the words "Body of Arbitrators"

read

"Board of Arbitrators"

B. O

Dey 21/10/34
For Dev. Secy

To the Controller, Mysore Gazette for publication

Memo: 2975

Copy to the Regr of Co-op. Societies for information.

Dey

WD 0255—GPR—10,000—23-8-32

Government of His Highness the Maharaja of Mysore
General and Revenue Secretariat.

No. 2974 Bangalore, dated 24th October 1934.

CS 30-33-15

Erratum.

In Rule 16(viii) of the amended Rules under the Mysore Co-operative Societies Regulation, No.V of 1918 as amended by Regulations, V of 1929 and [illegible] of 1933, published in Part IV of the Mysore Gazette dated 11th October 1934 for the words "Body of Arbitrators" read "Board of Arbitrators".

By Order,

Sd/- M. Venkatanaran

Secretary to Government
Development Department

To

The Compiler, Mysore Gazette, for publication.

Memo No. D 2975 Bangalore, dated 24th October 1934.

Copy of the above is forwarded with compliments to the Registrar of Co-operative Societies for information.

By Order,

For Secretary to Government
Development Department.

TRM. 9

copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

(5) Endorsement of time and manner of service:- The serving officer shall in all cases in which the summons has been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

(6) Service on civil public officer or on servant of railway company or local authority:- Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

By order,

Seshavarayappa.

for Secretary to Government,
Development Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette with a request that 50 copies of the notification may be furnished to the Secretariat.